

Assembly Bill No. 3071

Passed the Assembly May 18, 2006

Chief Clerk of the Assembly

Passed the Senate June 26, 2006

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 104770 and 104775 of the Health and Safety Code, relating to dental health.

LEGISLATIVE COUNSEL'S DIGEST

AB 3071, Chan. Dental disease prevention programs.

Existing law authorizes local sponsors, as defined, to offer community dental disease prevention programs approved by the State Department of Health Services to school children in preschool through 6th grade, and in classes for individuals with exceptional needs. Existing law requires the program to include educational programs focused on the development of personal practices by pupils, as specified, and preventative services. Existing law requires any acts performed or services provided pursuant to the program that constitute the practice of dentistry to be performed or provided by a licensed dentist.

This bill would require the educational programs to be evidence-based, age-appropriate, and focused on development of personal practices by preschool children, students, and parents, and require services to be evidence-based age-appropriate to include dietary fluoride supplements. The bill would also require acts performed or services provided that constitute the practice of dentistry to be performed by a licensed dentist or a licensed or registered dental health professional.

The people of the State of California do enact as follows:

SECTION 1. Section 104770 of the Health and Safety Code is amended to read:

104770. The Legislature hereby finds and declares all of the following:

(a) Ninety-five percent of all children in California have dental disease in the form of dental caries and periodontal disease. Dental disease in childhood can and does result in significant lifetime disability, dental pain, missing teeth, time lost from school and work, and the need for dentures. Poor nutrition in

childhood is a major contributing factor in lifetime dental disability.

(b) Dental disease in children and the resultant abnormalities in adults can best be prevented by prevention and education programs for children and parents.

(c) It is the intent of the Legislature in enacting this article to establish for children in preschool through sixth grade, and in classes for individuals with exceptional needs, preventive dental programs that shall be financed and have standards established at the state level and that shall be operated at the local level.

SEC. 2. Section 104775 of the Health and Safety Code is amended to read:

104775. A community dental disease prevention program may be offered to school children in preschool through sixth grade, and in classes for individuals with exceptional needs, by a local sponsor. A local sponsor may be a city or county health department, county office of education, superintendent of schools office, school district or other public or private nonprofit agency approved by the department. The program shall include, but not be limited to, the following:

(a) Evidence-based, age-appropriate educational programs, focused on development of personal practices by preschool children, students, and parents, that promote dental health. Emphasis shall include, but not be limited to, age-appropriate education, counseling, and recommending preventative dental products, causes and prevention of dental diseases, nutrition and dental health, and the need for regular dental examinations and treatment.

(b) Evidence-based, age-appropriate services, including, but not limited to, ongoing plaque control, dental sealants, dietary fluoride supplements, and supervised application of topical prophylactic agents for caries prevention, including fluoride varnish and mouth rinse, in accordance with this article or other preventive agents approved by the department. Services shall not include dental restoration, orthodontics, or extraction of teeth. Any acts performed, or services provided, under this article constituting the practice of dentistry shall be performed or provided by, or be subject to the supervision of, a licensed dentist or licensed or registered dental health professional in accordance

with Chapter 4 (commencing with Section 1600) of Division 2 of the Business and Professions Code.

Approved _____, 2006

Governor